

Message Text

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EXDIS (HANDLE AS NODIS)

C O R R E C T E D C O P Y (SECTION INFO)

FROM ATHERTON

USDEL NO 6

E.O. 11652: GDS
TAGS: PGOV, XF, US
SUBJ: MEETING WITH FOREIGN MINISTER DAYAN --FEBRUARY 21

1. SUMMARY: IN OUR MEETING MORNING FEBRUARY 21, DAYAN SAID THAT IN HIS PERSONAL VIEW THE FACT ISRAEL WOULD LIKE THE POLITICAL COMMITTEE RECONVENED DOES NOT MEAN THE WORK OF THE MILITARY COMMITTEE SHOULD CEASE PENDING RECONVENING OF THE POLITICAL COMMITTEE (DAYAN DID NOT RAISE THE REQUEST HE MADE IN WASHINGTON THAT WE PRESS EGYPT TO RECONVENE THE POLITICAL COMMITTEE OR WARNINGS HE MADE IN THAT RESPECT BUT BEGIN DID IN MEETING THAT EVENIN). I MENTIONED POSSIBILITY THAT I MIGHT RAISE WITH EGYPTIANS THE IDEA OF ESTABLISHING A SUB-COMMITTEE AS A STEP TOWARD RECONVENING OF THE FULL POLITICAL COMMITTEE, AND DAYAN SHOWED INTEREST IN THIS. I EXPLAINED THAT WE HAD JUST GOTTEN WORD THAT SADAT IS IN PROCESS OF REVIEWING

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EGYPTIAN SUGGESTIONS FOR THE DRAFT DECLARATION OF PRINCIPLES AND THEREFORE I DID NOT HAVE AN EGYPTIAN TEXT TO PRESENT; HOWEVER, I DID SUMMARIZE ORALLY VERY GENERALLY THE POSITIONS GIVEN US BY THE EGYPTIANS ON FEBRUARY 1, SO AS TO GIVE DAYAN AN IDEA OF THE DIRECTION EGYPTIAN THOUGHT WAS TAKING AT THAT TIME. I ADDED THAT OUR IMPRESSION IS THAT EGYPTIANS HAD GONE BACK TO SOME OF THEIR EARLIER LANGUAGE ON DECLARATION OF

PRINCIPLES BECAUSE THEY HAVE BECOME PESSIMISTIC OVER CHANCES OF GETTING AN ACCEPTABLE PALESTINIAN PARAGRAPH. IF THEY KNEW AGREEMENT COULD BE GOTTEN ON SOMETHING LIKE PRESIDENT CARTER'S ASWAN LANGUAGE, EGYPTIANS MIGHT BE MORE INCLINED TO BE FLEXIBLE ON LANGUAGE IN OTHER PARAGRAPHS. I TOLD DAYAN I PLANNED WHEN IN CAIRO THIS WEEK TO ASK EGYPTIANS WHETHER THEY HAVE COUNTERPROPOSALS OR COMMENT ON ISRAEL'S SELF-RULE PLAN AS MEANS FOR BEGINNING EXPLORATION OF WEST BANK/GAZA PROBLEM IN AIM OF BRINGING JORDAN INTO THE NEGOTIATIONS. DAYAN SAID WHILE HE AGREED TO WORKING OUT A DECLARATION OF PRINCIPLES BY SHUTTLE DIPLOMACY, HE WOULD BE VERY RELUCTANT TO NEGOTIATE OVER COUNTERPROPOSALS TO ISRAEL'S SELF RULE PLAN IN SUCH MANNER; DISCUSSION OF THIS SUBJECT SHOULD BE FACE-TO-FACE WITH EGYPT, JORDAN AND PALESTINIANS. I EXPLAINED THAT WHAT WE PROPOSE IS PRELIMINARY EXPLORATION ONLY AND THAT WE FACE PROBLEM OF BREAKING THE VICIOUS CIRCLE WHEREIN EGYPTIANS REFUSE TO NEGOTIATE ON THE WEST BANK WITHOUT HUSSEIN AND HUSSEIN REFUSES TO COME IN WITHOUT ASSURANCE THAT AGREEMENT CAN BE REACHED. THIS LED TO LENGTHY DISCUSSION OF ISSUE OF APPLICABILITY OF WITHDRAWAL PROVISIONS OF RESOLUTION 242 TO WEST BANK. DAYAN AGAIN, AS HE HAD IN WASHINGTON, TOOK POSITION THAT GOI SHOULD NOT BE ASKED TO MAKE COMMITMENT TO WITHDRAW FROM WEST BANK PRIOR TO ACTUAL NEGOTIATIONS. I MADE THE POINT THAT COMMITMENT TO THE PRINCIPLE OF WITHDRAWAL ON ALL FRONTS PURSUANT TO 242 IS BASIS OF NEGOTIATIONS. DAYAN DID NOT CONTEST THAT USG POSITION HAD ALL ALONG BEEN THAT
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WITHDRAWAL PROVISION OF 242 APPLIES TO ALL FRONTS, OR EVEN THAT PREVIOUS ISRAELI GOVERNMENTS MAY HAVE TAKEN THAT POSITION, BUT SAID AS PRACTICAL MATTER HE WAS NOT SURE PRESENT GOI WOULD AGREE AND ASKED THAT I DISCUSS THE QUESTION WITH THE PRIME MINISTER IN MEETING ARRANGED FOR SIX O'CLOCK THIS EVENING. DAYAN URGED THAT WE NOT "PRESS ISRAEL INTO A CORNER" ON THIS ISSUE OR TAKE A PURELY "LEGALISTIC" VIEW OF IT. HE REITERATED, HOWEVER, THAT GOI WOULD BE PREPARED TO DISCUSS JORDANIAN/PALESTINIAN PROPOSALS FOR WITHDRAWAL FROM WEST BANK IN CONTEXT OF NEGOTIATIONS. END SUMMARY.

2. MEETING LASTED TWO HOURS AND 15 MINUTES. WITH DAYAN WERE EVRON, BARAK, ROSENNE, LAVIE AND RUBENSTEIN. ON OUR SIDE IN ADDITION TO LEWIS AND MYSELF, WERE STERNER, KORN AND SHERMAN.

3. I BEGAN BY EXPLAINING THAT I WOULD BE AVAILABLE IN THE AREA FOR TWO TO TWO AND 1/2 WEEKS, RETURNING TO WASHINGTON A FEW DAYS BEFORE PRIME MINISTER BEGIN'S VISIT. I SAID THAT WHILE I HAVE NO FIXED AGENDA, I PLAN TO GO TO CAIRO FEBRUARY 22 AND 23, AND BE BACK IN ISRAEL FEBRUARY 24-26 AND THEN NEXT WEEK GO TO AMMAN AND SAUDI ARABIA AND POSSIBLY TO CAIRO BEFORE

RETURNING TO ISRAEL. DAYAN AND EVRON SUGGESTED THAT I RETURN FROM CAIRO EARLY ENOUGH FRIDAY, FEBRUARY 24, TO BRIEF THEM THAT AFTERNOON ON RESULTS OF MY MEETINGS IN CAIRO. WE TENTATIVELY AGREED ON MEETING AT DAYAN'S TEL AVIV RESIDENCE AT 3:30 PM FRIDAY. DAYAN SUGGESTED MEETING WITH BEGIN BEFORE I GO TO CAIRO. MEETING WAS SUBSEQUENTLY SET FOR 6:00 PM THIS EVENING (FEBRUARY 21).

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EXDIS (HANDLE AS NODIS)

FROM ATHERTON

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4. DAYAN SAID THAT HE HAD READ IN THE PAPERS THAT SADAT SAID HE DOES NOT WANT THE MILITARY COMMITTEE TO RECONVENE BEFORE BEGIN'S VISIT TO WASHINGTON. DAYAN ASKED IF I HAD ANY INFORMATION ON THIS. I SAID I DID NOT, BUT I POINTED OUT THAT SADAT HAS SAID HE IS PREPARED TO CONTINUE THE MILITARY COMMITTEE TALKS. DAYAN SAID THAT IN HIS PERSONAL VIEW, FACT THAT ISRAEL WOULD LIKE THE MILITARY COMMITTEE RECONVENED DOES NOT MEAN THE WORK OF THE MILITARY COMMITTEE SHOULD CEASE PENDING SUCH RECONVENING. DAYAN SAID HE WOULD LIKE TO FIND OUT IF SADAT DOES IN FACT WANT TO GO ON WITH THE MILITARY COMMITTEE TALKS; IF HE DOES, DAYAN SAID, "LET'S DO IT." REFERRING TO ISRAEL'S DESIRE FOR RECONVENING OF THE POLITICAL COMMITTEE, I ASKED WHAT ISRAEL WOULD THINK ABOUT THE POSSIBILITY OF ESTABLISHING A SUB-COMMITTEE AS A STEP TOWARD RECONVENING OF THE FULL POLITICAL COMMITTEE. IF I SAW FLEXIBILITY IN CAIRO, I MIGHT RAISE THIS THERE. DAYAN ENDORSED THE IDEA, AGAIN

SAYING, "LET'S DO IT", AND AT THE END OF THE CONVERSATION HE
REMINDS ME TO DISCUSS THIS WITH THE PRIME MINISTER IN MEETING
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THIS EVENING. I STRESSED THAT I COULD NOT KNOW HOW THE
EGYPTIANS WOULD RESPOND TO THIS IDEA AND THAT I MAY OR MAY NOT
RAISE IT DEPENDING UPON HOW THE TALKS IN CAIRO GO.

5. I SAID I HAD ASSUMED THAT MY FIRST ITEM OF BUSINESS WITH
THE FOREIGN MINISTER WOULD BE TO PRESENT THE LATEST
EGYPTIAN LANGUAGE ON THE DRAFT DECLARATION OF PRINCIPLES
BUT ON ARRIVING IN ISRAEL I HAD GOTTEN WORD THAT SADAT WANTS
TO REVIEW THE LANGUAGE THAT KAMEL GAVE US ON FEBRUARY 1.
THEREFORE I WOULD NOT HAVE A TEXT TO PRESENT. I POINTED OUT
THAT SINCE THE FEBRUARY 1 LANGUAGE WAS WORKED OUT BY FOREIGN
MINISTER KAMEL AND HIS ADVISORS, IT WAS PROBABLY USEFUL FOR
SADAT TO GET DIRECTLY INVOLVED. IN ANY EVENT ANOTHER ROUND
OF TALKS IN CAIRO WOULD BE REQUIRED BEFORE I WOULD BE ABLE
TO GIVE DAYAN A TEXT. HOWEVER, IN ORDER THAT ISRAELIS
MIGHT HAVE GENERAL FLAVOR OF EGYPTIAN THINKING AS EXPRESSED
BY KAMEL IN THE FEBRUARY 1 MEETING, I WENT OVER THE FEBRUARY 1
EGYPTIAN TEXT ORALLY IN A VERY GENERAL WAY. DAYAN'S ONLY COMMENT
WAS THAT THE EGYPTIAN LANGUAGE IN THE PALESTINIAN PARAGRAPH
WAS NOT IN LINE WITH THE PRESIDENT'S ASWAN LANGUAGE. I STRESSED
THAT I WAS NOT PRESENTING AN EGYPTIAN TEXT AND SAID THAT
IT SHOULD BE CLEARLY ON RECORD THAT I HAVE NOT PRESENTED EGYPTIAN
COUNTERPROPOSALS. I SAID MY PERSONAL IMPRESSION IS THAT
EGYPTIAN RETURN TO SOME OF THE LANGUAGE THEY HAD USED
EARLIER IS RELATED TO THEIR DOUBT THAT ISRAEL WILL AGREE
TO A PALESTINIAN PARAGRAPH ALONG THE LINES OF THE PRESIDENT'S
ASWAN LANGUAGE. SOMETHING CLOSE TO THE PRESIDENT'S ASWAN LANGUAGE
MAY BE THE MINIMUM NECESSARY FOR EGYPT IF THERE IS TO BE
AGREEMENT ON A DECLARATION OF PRINCIPLES. OTHER LANGUAGE
REVISIONS MAY BE A BARGAINING TACTIC. IF THE PRESIDENT'S
ASWAN LANGUAGE WERE ACCEPTED, OTHER DIFFERENCES MIGHT DISAPPEAR.
I EMPHASIZED, HOWEVER, THAT FOREGOING IS ONLY MY PERSONAL GUESS.

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6. DAYAN ASKED IF THERE WERE LANGUAGE ON THE WEST BANK IN
THE ASWAN STATEMENT AND I REPLIED THAT THERE WAS ONLY GENERAL
LANGUAGE ON THE PALESTINIAN ISSUE. I NOTED HOWEVER THE PRESIDENT
HAD USED THE WORDS "RESOLUTION OF THE PALESTINIAN PROBLEM
IN ALL ITS ASPECTS." I POINTED OUT THAT THIS PHRASE IS VERY
IMPORTANT TO SADAT. I REITERATED THAT UNTIL I HAD FURTHER
TALKS IN CAIRO I COULD NOT BE CERTAIN OF THIS. I COULD ONLY

GIVE DAYAN MY JUDGMENT THAT THE MINIMUM THE EGYPTIANS WOULD AGREE TO IS THE ASWAN LANGUAGE.

7. I THEN SAID THAT IN ADDITION TO DISCUSSING THE DECLARATION OF PRINCIPLES WHILE IN CAIRO, I WOULD ALSO WANT TO SEE IF THE EGYPTIANS WERE READY TO COMMENT OR MAKE COUNTERPROPOSALS ON THE ISRAELI-SELF-RULE PLAN. WE REALIZE THIS WOULD BEGIN TO GET INTO THE NEXT AGENDA ITEM BUT IT WOULD BE USEFUL TO US AS PREPARATION FOR DISCUSSIONS WITH HUSSEIN TO EXPLORE WHETHER EGYPT WOULD BE READY TO COME FORWARD WITH IDEAS ON THE WEST BANK AND GAZA. EGYPTIANS HAVE BEEN RELUCTANT TO DO SO IN THE PAST, BUT WE KNOW SADAT ATTACHES IMPORTANCE TO HUSSEIN'S JOINING THE NEGOTIATIONS. DAYAN SAID HE THOUGHT IT ONE THING TO WORK OUT A DECLARATION OF PRINCIPLES BY SHUTTLE DIPLOMACY, BUT HE WOULD BE VERY RELUCTANT TO NEGOTIATE OVER COUNTERPROPOSAL TO ISRAEL'S SELF-RULE PLAN IN THE SAME MANNER. THAT SHOULD BE A SUBJECT FOR FACE-TO-FACE DISCUSSIONS BY THE PARTIES, EGYPT, ISRAEL, JORDAN AND PALESTINIANS. DAYAN SAID HE HAD ACCEPTED THE IDEA OF A DECLARATION OF PRINCIPLES ON THE BASIS THAT ONCE IT WAS DONE JORDANIAN AND PALESTINIAN REPRESENTATIVES WOULD JOIN THE NEGOTIATIONS. HE REITERATED THAT HE THOUGHT IT WOULD BE WRONG FOR ISRAEL TO NEGOTIATE ON THE WEST BANK AND GAZA THROUGH SHUTTLE DIPLOMACY AND SAID HE WOULD VERY STRONGLY RECOMMEND TO THE PRIME MINISTER THAT ISRAEL NOT DO SO. HE INDICATED THAT AT LEAST PART OF HIS CONCERN IN THIS REGARD WAS THAT THE ARAB SIDE WOULD NOT VIEW ITSELF AS BOUND BY WHATEVER MIGHT BE WORKED OUT INDIRECTLY.

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EXDIS (HANDLE AS NODIS)

FROM ATHERTON

USDEL NO 6

8. I SAID I COULD UNDERSTAND DAYAN'S CONCERNS, BUT WE FACE THE PRACTICAL PROBLEM OF IMPORTANCE SADAT ATTACHES TO GETTING HUSSEIN TO JOIN THE NEGOTIATIONS. ALL INDICATIONS SO FAR ARE THAT HUSSEIN MAY WELL NOT AGREE TO ENTER NEGOTIATIONS ON THE BASIS OF THE DECLARATION OF PRINCIPLES ALONE. HE WILL PROBABLY WANT SOME IDEA OF HOW THE DECLARATION WILL BE IMPLEMENTED. THIS PUTS US IN A VICIOUS CIRCLE WHEREIN THE EGYPTIANS REFUSE TO NEGOTIATE ON THE WEST BANK WITHOUT HUSSEIN BUT HUSSEIN REFUSES TO COME IN WITHOUT ASSURANCES THAT THERE IS GOOD CHANCE AGREEMENT CAN BE REACHED. THEREFORE WE HAVE CONCLUDED THAT SOME PRELIMINARY EXPLORATION REGARDING THE FUTURE OF THE WEST BANK AND GAZA MAY BE NECESSARY. DAYAN SAID HE HAD BEEN HAPPY TO HEAR FROM PRESIDENT CARTER DURING THEIR MEETING IN WASHINGTON LAST WEEK THAT SADAT HAD TOLD HIM HE WOULD BE SATISFIED WITH A DECLARATION OF PRINCIPLES AND THAT WHEN THE DECLARATION WAS ACHIEVED HUSSEIN WOULD JOIN THE NEGOTIATIONS, OR IF HE REFUSED TO JOIN EGYPT WOULD GO AHEAD ALONE IN NEGOTIATIONS WITH ISRAEL. I SAID THIS HAD BEEN THE PRESIDENT'S

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IMPRESSION FROM HIS TALK WITH SADAT AT ASWAN, BUT AS SECRETARY VANCE HAD POINTED OUT DURING DAYAN'S MEETING WITH THE PRESIDENT, THIS MAY NO LONGER BE SADAT'S VIEW. WE WOULD TRY TO HAVE A CLEARER IDEA BY THE TIME OF BEGIN'S VISIT OF SADAT'S POSITION IN THIS REGARD. DAYAN NOTED THAT WHEN THE EGYPTIAN DELEGATION WAS IN JERUSALEM FOR THE POLITICAL COMMITTEE TALKS THEY HAD SAID THEY HAD NO MANDATE TO DISCUSS THE WEST BANK AND GAZA. DAYAN POINTED OUT THAT THE POLITICAL COMMITTEE AGENDA SPOKE OF GUIDELINES FOR THE WEST BANK AND GAZA. HE DID NOT KNOW WHAT THE DIFFERENCE IS BETWEEN GUIDELINES AND PRINCIPLES. BUT HE FELT THAT WHATEVER CHANGES ISRAEL MIGHT MAKE IN ITS SELF-RULE PLAN COULD BE MADE ONLY IN AND THROUGH DIRECT NEGOTIATIONS.

9. DAYAN THEN RETURNED TO QUESTION OF WHETHER OR NOT EGYPT WOULD BE READY TO MAKE A SEPARATE PEACE WITH ISRAEL WITHOUT A SETTLEMENT OF THE PALESTINIAN QUESTION. HE MENTIONED PROBLEM OF ISRAELI SETTLEMENTS IN SINAI AND NOTED THAT THERE ARE CERTAIN PEOPLE IN ISRAEL -- HE DID NOT COUNT HIMSELF AMONG THEM -- WHO SAY THAT THESE SETTLEMENTS ARE THE MAIN OBSTACLE TO PEACE BETWEEN EGYPT AND ISRAEL AND THEREFORE SHOULD BE REMOVED. THAT MAY BE TRUE, DAYAN SAID, BUT HE WOULD BE RELUCTANT TO FORM AN OPINION ON WHAT TO DO WITH THE SINAI SETTLEMENTS BEFORE KNOWING WHETHER THEIR REMOVAL WOULD REALLY CLEAR THE WAY FOR PEACE WITH EGYPT. IN THIS REGARD, DAYAN SAID HE THOUGHT THE MILITARY COMMITTEE SHOULD CONTINUE ITS TALKS. PERHAPS THROUGH THE MILITARY COMMITTEE TALKS ISRAEL WILL BE ABLE TO

GET A BETTER IDEA AS TO WHETHER EGYPT WOULD BE READY FOR A SEPARATE PEACE WITH ISRAEL. DAYAN SAID HE DID NOT THINK ISRAEL SHOULD GET INTO A GENERAL DISCUSSION WITH EGYPT ATLONE OVER THE PALESTINIAN ISSUE. SINCE THE EGYPTIANS HAVE ALWAYS SAID THE JORDANIANS AND THE PALESTINIANS MUST HAVE A PART IN SUCH TALKS, ANYTHING EGYPT AGREES TO WOULD NOT BE FIRM. AMBASSADOR
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LEWIS ASKED IF THIS WOULD BE DAYAN'S VIEW EVEN IF AFTER A DECLARATION OF PRINCIPLES IS ACHIEVED THE EGYPTIANS SAY THEY ARE READY TO RESUME THE POLITICAL COMMITTEE DISCUSSIONS AND GO ON TO ITEM B WITHOUT HUSSEIN. DAYAN SAID THE QUESTION IS WHAT KIND OF A MANDATE WOULD THEY HAVE? SADAT CAN NEGOTIATE ON BEHALF OF PEOPLE OF GAZA BUT WHAT AUTHORITY DOES HE HAVE TO SPEAK FOR THE WEST BANK? IF THE EGYPTIANS SAY LET'S STRIKE A DEAL UNTIL HUSSEIN CAN COME IN, ISRAEL WOULD BE ASKED TO COMMIT ITSELF "TO ALL KINDS OF THINGS WE DON'T WANT JUST IN ORDER TO GET HUSSEIN TO JOIN THE NEGOTIATIONS" BUT COMMITMENTS EGYPT MADE WOULD NOT BE BINDING ON IT. IT WOULD BE A ONE-SIDED, UNEVEN NEGOTIATION.

10. I SAID THAT WHEN I MEET WITH HUSSEIN I WILL MAKE CLEAR THAT WE CANNOT GIVE HIM ALL THE ANSWERS HE WANTS AND THAT MUCH OF WHAT HE WISHES WILL HAVE TO BE ACHIEVED THROUGH NEGOTIATION. BUT I SAID I THOUGHT IT INEVITABLE THAT HUSSEIN WILL WANT TO KNOW AT LEAST WHAT HIS BALLPARK CHANCES ARE, AND THE ONLY WAY TO START THE PROCESS OF CLARIFICATION SEEMS TO BE TO GET THE EGYPTIANS TO PUT FORWARD SOME IDEAS. I URGED DAYAN AT LEAST TO KEEP AN OPEN MIND ON THIS UNTIL I HAVE BEEN ABLE TO DISCUSS IT WITH THE EGYPTIANS. I STRESSED THAT IT WOULD BE PREMATURE FOR ISRAEL TO TAKE THE POSITION THAT THERE SHOULD BE ABSOLUTELY NO DISCUSSION REGARDING GUIDELINES FOR THE WEST BANK AND GAZA PRIOR TO THE CONVENING OF THE DIRECT NEGOTIATIONS BETWEEN EGYPT, ISRAEL, JORDAN AND PALESTINIAN REPRESENTATIVES. DAYAN SAID HUSSEIN WANTS ISRAEL TO COMMIT ITSELF ON A WHOLE RANGE OF ISSUES BEFORE HE WILL JOIN THE NEGOTIATIONS, ON FULL WITHDRAWAL, UN FORCES, RIGHTS OF REFUGEES, AND SO FORTH. WHAT, HE ASKED, WILL BE LEFT TO NEGOTIATE ABOUT? I REITERATED THAT IT WOULD NOT BE REASONABLE FOR HUSSEIN TO EXPECT COMMITMENTS FROM ISRAEL ON MATTERS OF THIS SORT BEFORE NEGOTIATIONS BUT AGAIN POINTED OUT THAT SOME PRELIMINARY EXPLORATION WILL PROBABLY BE NECESSARY.

11. WE THEN BEGAN LENGTHY DISCUSSION ON QUESTION OF THE
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APPLICABILITY OF WITHDRAWAL PROVISIONS OF RESOLUTION 242
TO ALL FRONTS. I POINTED OUT THAT I THOUGHT AT A MINIMUM HUSSEIN
WOULD NEED TO KNOW THAT ISRAEL ACCEPTS THIS PRINCIPLE. DAYAN
SAID HE WOULD HAVE TO REPEAT WHAT HE SAID IN WASHINGTON --
I.E., THAT HE DID NOT BELIEVE THAT THE ISRAELI GOVERNMENT
WOULD AGREE THAT 242 SHOULD APPLY TO ALL FRONTS. DAYAN URGED
THAT I DISCUSS THIS MATTER WITH THE PRIME MINISTER. I SAID
WE HAVE DONE CONSIDERABLE STUDY ON THE ISSUE AND I HAD COME
WITH DOCUMENTATION; I WONDERED IF SUCH DISCUSSION WOULD NOT
BE MORE APPROPRIATE AT TECHNICAL LEVEL. I WAS READY TO SIT
DOWN WITH EVRON, BARAK, AND ROSENNE, OR WHOMEVER THE
FOREIGN MINISTER WISHED AND GO OVER OUR BRIEF. DAYAN REITERATED
THAT HE THOUGHT THE QUESTION SHOULD BE TAKEN UP WITH THE
PRIME MINISTER, BECAUSE EVEN THOUGH THERE ARE LEGAL MATTERS
INVOLVED THE ISSUE IS PRIMARILY A POLITICAL ONE. DAYAN
ADDED THAT ISRAEL DOES NOT SAY THAT THE US AND HUSSEIN
CANNOT INSIST IN NEGOTIATIONS THAT THE WITHDRAWAL PROVISIONS
OF 242 SHOULD APPLY TO WEST BANK. BUT, HE CONTINUED, IT IS
QUITE ANOTHER THING TO SAY THAT YOU WANT US TO COMMIT OUR-
SELVES TO THAT PROPOSITION BEFORE NEGOTIATIONS. DAYAN AGAIN
SAID HE DID NOT THINK THAT ISRAEL WOULD DO THAT.

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FROM ATHERTON

USDEL NO 6

12. I POINTED OUT THAT THIS BRINGS US TO A VERY FUNDAMENTAL
POINT. ISRAEL SAYS WE ARE ASKING FOR A PRECOMMITMENT, BUT ALL

THE ARAB-ISRAELI NEGOTIATIONS HAVE BEEN BASED ON 242. UNTIL VERY RECENTLY WE DID NOT THINK THERE WAS ANY DIFFERENCE OF INTERPRETATION BETWEEN THE PARTIES REGARDING THE APPLICATION OF 242'S WITHDRAWAL PROVISION TO ALL FRONTS. WE DID NOT SEE THIS AS A PRECONDITION, BUT AS A PART OF THE BASIC FRAMEWORK FOR NEGOTIATIONS. I POINTED OUT THAT THIS IS THE PREMISE ON WHICH WE HAVE PROCEEDED DURING THE PAST TEN YEARS.

13. THERE ENSUED AN EXCHANGE BETWEEN DAYAN AND MEMBERS OF HIS PARTY IN WHICH ROSENNE CLAIMED THAT HE HAD NOT BEEN ABLE TO FIND ANY EVIDENCE THAT FORMER ISRAELI GOVERNMENTS HAD AGREED TO WITHDRAW ON ALL FRONTS AND IN WHICH HE MAINTAINED THAT EVEN USG STATEMENTS DID NOT CLEARLY SUPPORT THAT VIEW. EVRON TOOK ISSUE WITH ROSENNE OVER THE LATTER POINT AND DAYAN INDICATED THA HE DID NOT CONTEST THAT THE US POSITION HAD ALL ALONG BEEN WITHDRAWAL ON ALL FRONTS OR EVEN THAT PREVIOUS ISRAELI
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GOVERNMENTS HAD TAKEN THAT POSITION. NOONETHELESS, DAYAN SAID, HE WAS NOT AT ALL SURE THE PRESENT GOVERNMENT OF ISRAEL WOULD ACCEPT SUCH AN INTERPRETATION. FOR THAT REASON HE FELT IT IMPORTANT THAT I DISCUSS THIS WITH BEGIN HIMSELF. BARAK ADVANCED THE ARGUMENT THAT IF THE USG TOOK THE POSITION THAT 242 APPLIES TO ALL AREAS IT WOULD IN FACT BE INSISTING THAT ISRAEL MUST WITHDRAW FROM THE WEST BANK EVEN IF THE PARTIES WERE TO REACH AGREEMENT ON TERMS OTHER THAN WITHDRAWAL. WE REPLIED THAT AS A PRACTICAL MATTER THE ARABS WILL NOT COME TO AGREEMENT WITH ISRAEL UNLESS THERE IS AT LEAST SOME WITHDRAWAL, BUT OBVIOUSLY IF THERE WERE ARAB-ISRAELI AGREEMENT ON FINAL SECURE AND RECOGNIZED BORDER ON ANY FRONT WITH NO WITHDRAWAL, WE WERE NOT GOING TO SAY THAT WAS UNACCEPTABLE BECAUSE IT DID NOT CONFORM TO WITHDRAWAL PRINCIPLE OF 242. QUITE SIMPLY, HOWEVER, WE DID NOT THINK THIS WOULD HAPPEN AS PRACTICAL MATTER. EVRON SAID THE PROBLEM WAS THAT THE ARABS WOULD INTERPRET ANY ISRAELI AGREEMENT THAT 242 APPLIED TO ALL FRONTS IN LIGHT OF US POSITION THAT THERE SHOULD BE ONLY MINOR MODIFICATIONS IN 1967 LINES.

14. DAYAN WARNED AGAINST A LEGALISTIC APPROACH TOWARD THIS PROBLEM AND URGED THAT WE NOT PRESS ISRAEL INTO A CORNER ON IT. IF THE US TAKES THE POSITION THAT ISRAEL MUST COMMIT ITSELF TO WITHDRAWAL FROM THE WEST BANK BECAUSE 242 REQUIRES IT TO DO SO, DAYAN SAID, ISRAEL CAN GO BACK QUITE LITERALLY TO THE TERMS OF 242. AND, DAYAN POINTED OUT, 242 SAYS NOTHING ABOUT THE PALESTINIAN PROBLEM. BY PUSHING TOO MUCH ALONG THESE LINES, DAYAN SAID, THE OUTCOME WILL NOT BE MORE PROGRESS BUT ON THE CONTRARY EVERYBODY WILL FALL BACK TO HIS OWN INTERPRETATION OF 242. DAYAN SAID SEVERAL TIMES THAT THE US CANNOT HAVE IT BOTH WAYS ON THIS ISSUE. I SAID WE FELT OBLIGED TO RAISE THIS QUESTION BECAUSE OF THE CRITICISM THAT

ISRAEL HAD LEVELED AT US IN REGARD TO THE STATEMENT ISSUED

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BY THE WHITE HOUSE AT THE END OF THE SADAT VISIT AND ALSO BECAUSE OF THE PROBLEMS THAT ISRAELI POSITION WILL CREATE IN THE NEGOTIATIONS. WHEN ISRAEL SAYS THE WITHDRAWAL PROVISIONS OF 242 DO NOT APPLY TO THE WEST BANK, THE ARABS BECOME UNDERSTANDLY CONCERNED. DAYAN SAID HE HAD NEVER MADE SUCH A STATEMENT. HIS POSITION WAS THAT HE THOUGHT ISRAEL SHOULD NOT BE OBLIGED TO STATE IN THE DECLARATION OF PRINCIPLES THAT IT WILL WITHDRAW FROM THE WEST BANK, BUT THIS DOES NOT MEAN THAT HE IS DENYING THE POSSIBILITY OF SUCH WITHDRAWAL. IT SIMPLY MEANS THAT ISRAEL IS NOT OBLIGED TO PUT IT IN THE DECLARATION OF PRINCIPLES OR TO AGREE TO IT BEFORE NEGOTIATIONS. WITHDRAWAL FROM THE WEST BANK, DAYAN REITERATED, IS SOMETHING THAT CAN BE DEALT WITH IN THE NEGOTIATIONS.

15. BEFORE MEETING CONCLUDED THERE WAS FURTHER DISCUSSION OF ISRAELI POSITION ON WEST BANK AND GAZA. DAYAN DENIED THAT GOI HAD CLAIMED SOVEREIGNTH OVER THE WEST BANK. LEWIS POINTED OUT THAT PRIME MINISTER BEGIN HAD SAID ISRAEL RETAINS BUT WILL NOT PRESS ITS CLAIM TO SOVEREIGNTY. DAYAN WANTED TO KNOW IF SADAT AND HUSSEIN WOULD ASK THAT SPECIFIC REFERENCE BE MADE TO IN THE DECLARATION OF PRINCIPLES TO ISRAEL'S RENUN-CITATION OF CLAIM TO SOVEREIGNTY OVER THE WEST BANK. I SAID I DID NOT THINK SO, ALTHOUGH I WAS SURE THEY WOULD WANT TO KNOW THE ISRAELI POSITION ON THIS. BEFORE DECIDING WHETHER OR NOT TO JOIN THE NEGOTIATIONS, HUSSEIN WILL AT LEAST WANT PRIVATE CONFIRMATION THAT ISRAEL ACCEPTS THE APPLICATION OF 242 TO THE WEST BANK. I SAID I DID NOT EXPECT HE WOULD WANT THIS STATED PUBLICLY IN THE DECLARATION, BUT IF HE DID IT WOULD BE BECAUSE OF DOUBTS ABOUT THE ISRAELI POSITION.

16. IN CLOSING DAYAN REITERATED THAT HE DID NOT THINK THE GOI COULD ACCEPT THE PROPOSITION THAT THE WITHDRAWAL PROVISIONS OF 242 APPLY TO THE WEST BANK, THOUGH IT MIGHT DO SO IN THE CONTEXT OF NEGOTIATIONS. HOWEVER, DAYAN SAID, THE MATTER SHOULD BE DISCUSSED WITH THE PRIME MINISTER. PERHAPS SOME LANGUAGE COULD BE FOUND.

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Message Attributes

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Draft Date: 21 feb 1978
Decaption Date: 01 jan 1960
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Disposition Approved on Date:
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Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
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Executive Order: OA 19840221
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Expiration:
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Handling Restrictions: n/a
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Original Classification: SECRET
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TAGS: PGOV, PEPR, XF, US, IS, (DAYAN, MOSHE), (ATHERTON, ALFRED L JR)
To: STATE AMMAN MULTIPLE
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